

Appln No. 09/933,035
Amdt date November 4, 2005
Reply to Office action of August 5, 2005

REMARKS/ARGUMENTS

Claims 1-3, 6-17, 19-24, 27-32 and 36 remain in the present application, of which claims 1, 11, 19 and 27 are independent. Claims 4-5, 18, 25-26 and 33-35 are canceled herein without prejudice. Applicant thanks the Examiner for the thorough review of the application. Applicant also thanks the Examiner for the time and courtesy extended to Applicant's attorney during the telephone interview of November 2, 2005 and additional telephone conferences, during which the Examiner has indicated that the claims as amended herein are in an allowable form.

In the Office Action mailed August 5, 2005, claims 1-3, 6-17, 19-25, 27-32 and 36 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,650,662 ("Arnaud et al.") while claims 4-5, 18, 26 and 33-35 were objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 25 is canceled herein and its rejection is now moot.

Claim 1 now recites, in a relevant portion, "forwarding tone-on signals across said network in response to said validation, wherein the step of processing said communication signal to invalidate said tones comprises shifting frequency of said tone and/or adding an additional tone to said communication signal at a discrete frequency." Claim 11 now recites, in a relevant portion, "an encoder for encoding said processed signal in accordance with an applications protocol, wherein said tone invalidation logic comprises a signal generator for adding an additional tone to said incoming signal at a discrete frequency." Claim 19 now recites, in a relevant portion, "wherein said tone invalidation logic comprises a signal generator for adding an additional tone to said incoming signal at a discrete frequency." Claim 27 now recites, in a relevant portion, "wherein said means for invalidating said tones comprises a signal generator for adding an additional tone to said incoming signal at a discrete frequency and/or means for shifting frequency of said tone." As agreed to with the Examiner, these and other limitations of the respective claims 1, 11, 19 and 27 patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 1, 11, 19 and 27 be withdrawn and that they be allowed.

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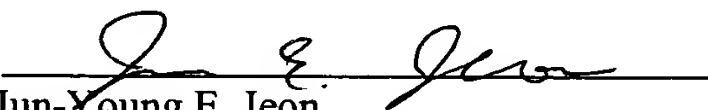
Since claims 2-3, 6-10, 12-17, 20-24, 28-32 and 36 depend, directly or indirectly from claims 1, 11, 19 and 27, respectively, they incorporate all the terms and limitations of the respective base claim in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 2-3, 6-10, 12-17, 20-24, 28-32 and 36 be withdrawn and that they be allowed.

Claim 1 has been further amended as required/suggested by the Examiner to recite, in a relevant portion, "pre-detecting said tones; validating at least one of said tones; processing said communication signal to invalidate said tones in response to said tone pre-detection." Applicant submits, however, as discussed with the Examiner, that the limitations of the method claim 1 does not have to be carried in any specific order as recited in claim 1. By way of example, "validating at least one of said tones" and "processing said communication signal to invalidate said tones in response to said tone pre-detection" may be carried out serially or concurrently in a parallel process in a suitable manner.

In view of the foregoing amendments and remarks, Applicant respectfully requests that the above claim amendments be entered. Applicant further requests an early issuance of a patent with claims 1-3, 6-17, 19-24, 27-32 and 36. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicant's attorney at the number listed below.

Respectfully submitted,

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